

Notice of Allowability

Application No.

10/679,696

Examiner

Dismery E. Mercedes

Applicant(s)

SATO ET AL.

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendf. filed 2/20/2007.
2. ☒ The allowed claim(s) is/are 1-6,13-18,25,26,29,30,33,34,37 and 38.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joseph Rhoa (Reg. No.3, 515) on 4/27/2007.

The application has been amended as follows:

Claims 7-12,19-24,27-28,31-32,35-36,39-40 are cancelled.

Allowable Subject Matter

1. Claims 1-6,13-18,25-26,29-30,33-34,37-38 (renumbered 1-20) are allowed.
2. The following is an examiner's statement of reasons for allowance:

Independent Claims 1,13,25,29,33,37 are allowable over the prior art of record since the cited references taken alone or in combination do not teach or suggest: *"wherein the magnetic layer has bumps on a surface thereof and density of the bumps is not less than 400 bumps/ μm^2 , and wherein at least five of the bumps are included in a single magnetic bit."*

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Sato et al. (US 6,804,822); Suzuki et al. (US 5,908,683); Matsuda et al. (US 6,372,367) ;

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Tsukuda et al. (US 2002/0060979 A1); Saiki et al. (US 6,183,892); Tanaka et al. (6,303,205) ;
Gudeman et al. (US 5,949,612); Sato et al. (US 6,203,884); Uwazumi et al. (US 5,843,561) ; Song et
al. (US 6,472,049) ; Nishimori et al. (US 5,939,170); Gui et al. (US 6,153,284) ; Wang et al. (US
6,519,114); Yip et al. (US 2004/0120062); Nakayama et al. (US 4,734,810); Nakagawa et al. (US
5,093,173).

Any inquiry concerning this communication or earlier communications from the examiner
should be directed to Dismery E. Mercedes whose telephone number is 571-272-7558. The
examiner can normally be reached on Monday - Friday, from 9:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,
Andrea Wellington can be reached on 571-272-4483. The fax phone number for the organization
where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent
Application Information Retrieval (PAIR) system. Status information for published applications
may be obtained from either Private PAIR or Public PAIR. Status information for unpublished
applications is available through Private PAIR only. For more information about the PAIR system,
see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system,
contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like
assistance from a USPTO Customer Service Representative or access to the automated information
system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


DM


ANDREA WELLINGTON
SUPERVISORY PATENT EXAMINER